

## **2900            Service Contributions**

### **2901            Overview**

Recipients of Older Americans Act services are to be provided the opportunity to voluntarily contribute to the cost of services. In addition, the Older Americans Act Amendments of 2000 permit States to implement cost sharing for certain services. The Division of Aging and Adult Services, in partnership with Area Agencies on Aging, shall establish and maintain guidelines for service contributions.

This chapter provides an outline of the Division of Aging and Adult Services operational principles and procedures for service contributions for services provided under the Older Americans Act. **This policy chapter is subject to change as additional information and/or regulations are received from the U.S. Department of Health and Human Services, Administration on Aging.**

*Reference: Older Americans Act of 1965, as Amended in 2000, P.L. 106-501, §315.*

### **2902            Operational Principles**

2902.1 All service recipients shall be given the opportunity to voluntarily contribute to the cost of selected services received.

2902.2 Assets, savings or other property owned by an individual shall not be considered when defining low-income individuals who are exempt from cost sharing, when creating a sliding scale for the cost sharing, or when seeking voluntary contributions from any individual.

2902.3 Area Agencies on Aging, or entity that such agency has contracted with, shall not means test for any service for which voluntary contributions are accepted or deny any services to an individual due to the individual's reluctance or inability to contribute toward the cost of the services.

2902.4 Prior to implementation of cost sharing, the Division of Aging and Adult Services and the Area Agencies on Aging shall develop plans that are designed to ensure that the participation of low-income individuals, with particular attention to low-income minority individuals and individuals residing in rural areas, receiving services will not decrease with the implementation of the cost sharing.

2902.5 The Division of Aging and Adult Services and the Area Agencies on Aging, conducting public input sessions on State and area plans shall solicit the views of older individuals, providers, and other stakeholders on the implementation of cost sharing in the service area or the State.

2902.6 Area Agencies on Aging may request a waiver from implementing cost sharing for all or selected services meeting the criteria identified in 2903.3 and utilizing the process identified in the Division of Aging and Adult Services policy Chapter 2100 – Area Plan on Aging.

2902.7 This policy chapter does not apply to the sliding fee schedule for services funded with other funds such as State Funds and SSBG.

## **2903 Operational Procedures**

2903.1 When implementing voluntary contributions, the Area Agency on Aging, or entity that such agency has contracted with, shall ensure the following standards are met:

- A) The best method for accepting voluntary contributions are determined through consultation with relevant entities within the Planning and Service Area.
- B) Voluntary contributions are solicited for all services funded by the Older Americans Act in a method that is non-coercive.
- C) Each individual is provided with an opportunity to voluntarily contribute to the cost of the service.
- D) Each individual is clearly informed that there is no obligation to contribute and that the contribution is purely voluntary.
- E) The privacy and confidentiality of each individual is protected with respect to the individual's contribution or lack of contribution.
- F) Appropriate procedures are established to safeguard and account for all contributions.
- G) All collected contributions are used to expand the service for which the contributions were given.

2903.2 Area Agencies on Aging may allow the entity that such agency has contracted with to develop "suggested" contribution schedules for services rendered, however, an individual's assets may not be utilized as a basis for contributing.

2903.3 Cost sharing may be implemented for services funded by the Older Americans Act, with the *exception* of the following services:

- A) Information and assistance, outreach, benefits counseling, or case management services.
- B) Ombudsman, elder abuse prevention, legal assistance or other consumer protection services.
- C) Congregate and home delivered meals.
- D) Any services delivered through tribal organizations.

2903.4 Cost sharing is prohibited for older individuals whose income is at or below 100% of the Federal Poverty Level (FPL). Older Individuals whose income is at 500% of FPL shall be requested to pay the full cost of the services received.

2903.5 When implementing cost sharing procedures, the Area Agencies on Aging, or entity that such agency has contracted with, shall ensure the following standards are met:

- A) The privacy and confidentiality of each older individual is protected with respect to the declaration or non-declaration of individual income and to any share of costs paid or unpaid by an individual.
- B) Appropriate procedures are established to safeguard and account for cost share payments.
- C) Each collected cost share payment is used to expand the service for which such payment was given.
- D) Assets, savings, or other property owned by an older individual are not considered in determining whether cost sharing is permitted.
- E) Any service for which funds are received under the Older Americans Act are not denied for an older individual due to the income of such individual or the individual's failure to make a cost sharing payment.
- F) The eligibility of older individuals to cost share is determined solely by a confidential declaration of income and with no requirement for verification.
- G) Widely distribute written material in languages reflecting the reading abilities of older individuals that describe the criteria for cost sharing, the sliding fee schedule, and the mandate described under (E) above.

2903.6 Area Agencies on Aging must submit a sliding fee schedule to the Division of Aging and Adult Services for final approval prior to implementation. The sliding fee schedule shall be based solely on the older individual's income and the cost of delivering services.

2903.7 Area Agencies on Aging may request a waiver from implementing cost sharing for all or selected services meeting the criteria identified in 2903.3 and utilizing the process identified in the Division of Aging and Adult Services policy Chapter 2100 – Area Plan on Aging.